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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,782	03/22/2001	Koichi Otake	205086US2S	3042

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EXAMINER

TU, CHRISTINE TRINH LE

ART UNIT PAPER NUMBER

2133

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/813,782

Applicant(s)

OTAKE ET AL.

Examiner

Christine T. Tu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 and 32-36 is/are allowed.
- 6) ☒ Claim(s) 30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/05/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Objection of Figures 7-9 is withdrawn.
2. 35 U.S.C. 112, second paragraph rejection is withdrawn.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 30 and 31 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility.

Claims 30 and 31 is amended with the limitation of "... transmitting data in a form of the recovered error-correcting code PI-added data block without storing the data into the memory again". Such limitation is not support by the specification nor drawings.

In the specification, pages 22- 25 for figure 10, pages 30-32 for figures 13 & 14, and pages 34-36 for figure 17 does not disclose the amended limitation "transmitting data in a form of the recovered error-correcting code PI-added data block with storing the data into the memory again". In fact, the created error-correcting code PI is stored sequentially in the buffer memory (2) (as disclosed at lines 4-5 of page 35 in the specification).

In addition, figures 10, 13, 14 and 17, the PI correction means (10) is directly connected to a row memory (3) or a buffer memory (2). In other words, no drawing showing that the output [or the recovered error-correcting code PI-added data block] of the PI correction mean is not to be stored.

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Claims 30 and 31 are also rejected under 35 U.S.C. 112, first paragraph.

Specifically, since the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

5. Claims 30 and 31 are again rejected under 35 U.S.C. 102(e) as being anticipated by Sebastian et al. (6,718,506 and Sebastian hereinafter).

Claim 30:

Sebastian teaches (figure 1, 3 and 4) that a DVD error correction engine includes a PI engine (12) for generating check bytes PI in corresponding to 172 bytes of raw data in DVD encoder operation. The generated check bytes are appended and the whole data (with 182 bytes) are sent to DRAM (10). Sequential rows of data are then applied to PI engine (12). The PI engine (12) corrects rows of data based on the PI parity code (column 4 lines 58-65, column 2 lines 28-38).

Claim 31:

Sebastian teaches that DVD data in an ECC block of (208 rows X 182 columns). There are 10 check bytes of PI for each row. Therefore, 10 columns of the 182 are dedicated to check bytes. Similarly, 16 rows of PO are being interleaved with 192 data rows (column 1 lines 10-18). Sequential rows of data are then applied to PI engine (12). The PI engine (12) corrects rows of data based on the PI parity code (column 4 lines 58-65, column 2 lines 28-38).

Response to Arguments

6. Applicant's arguments with respect to claims 30-31 have been considered but are moot in view of the new ground(s) of rejection.

Applicant alleges that Sebastian does not teach "transmitting data in a form of the recovered error-correcting code PI-added data block without storing the data in the memory again". However, such amended limitation is not supported in the disclosure (see ¶4 above). Thus, the art rejection is still maintained as the previous office action (mailed on October 5, 2004) (see ¶5).

7. Claims 1-29 and 32-34 are allowable over prior arts.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine T. Tu whose telephone number is (571)272-3831. The examiner can normally be reached on Mon-Thur. 8:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571)272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Christine T. Tu
Primary Examiner
Art Unit 2133

April 30, 2005